

COASTAL CONSERVANCY

Staff Recommendation
November 6, 2008

SAN FRANCISCO BAY TRAIL: PALO ALTO BAYLANDS (SEA SCOUT ECOCENTER) TRAIL CONSTRUCTION

File No. 07-063-14
Project Manager: Moira McEnespy

RECOMMENDED ACTION: Authorization for the Association of Bay Area Governments (ABAG) to disburse up to \$58,749 of previously-authorized Conservancy funds to Environmental Volunteers to construct a segment of the San Francisco Bay Trail adjacent to the Sea Scout Ecocenter in the Palo Alto Baylands.

LOCATION: Adjacent to the Sea Scout EcoCenter, in the Palo Alto Baylands Nature Preserve, Santa Clara County (see Exhibits 1-2)

PROGRAM CATEGORY: San Francisco Bay Area Conservancy

EXHIBITS

- Exhibit 1: [Project Location Map](#)
 - Exhibit 2: [Project Site Map](#)
 - Exhibit 3: [Project Letters](#)
 - Exhibit 4: [Mitigated Negative Declaration for the EcoCenter/
Sea Scout Base Project \(Adopted August 20, 2008\)](#)
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RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31160 *et seq.* of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the Association of Bay Area Governments (ABAG) to disburse to Environmental Volunteers an amount not to exceed \$58,749 (fifty-eight thousand seven hundred forty-nine dollars) of the total Conservancy funds authorized on September 20, 2007, to construct a segment of the San Francisco Bay Trail adjacent to the Sea Scout Ecocenter in the Palo Alto Baylands Nature Preserve, Santa Clara County, subject to the following conditions:

1. Prior to the disbursement of funds, ABAG shall submit for the review and approval of the Executive Officer of the Conservancy a final work program, schedule and budget, and a grant agreement between ABAG and Environmental Volunteers.

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2. ABAG shall ensure installation of signs identifying the trail segments and acknowledging the Conservancy and displaying its logo in a manner approved by the Executive Officer.
3. ABAG shall ensure compliance by Environmental Volunteers with all project actions, components and mitigation measures that are identified as needed to reduce or avoid significant environmental effects in the Mitigated Negative Declaration adopted by the City of Palo Alto on August 20, 2008 pursuant to the California Environmental Quality Act (CEQA), and accompanying the project staff recommendation as Exhibit 4.
4. ABAG shall provide documentation during the course of the project that the required project actions and mitigation measures have been implemented by or on behalf of Environmental Volunteers.”

Staff further recommends that the Conservancy adopt the following findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed authorization is consistent with the purposes and objectives of the San Francisco Bay Area Conservancy Program, Chapter 4.5 of Division 21 of the Public Resources Code, Sections 31160-31165.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines, last updated by the Conservancy on September 20, 2007.
3. Environmental Volunteers is a nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code, and whose purposes are consistent with Division 21 of the Public Resources Code.
4. The Conservancy has independently reviewed the Mitigated Negative Declaration for the EcoCenter/Sea Scout Base Project adopted by the City of Palo Alto on August 20, 2008 pursuant to CEQA and finds no substantial evidence that the portion of the project to be funded by the Conservancy, as mitigated, will have a significant effect on the environment.”

PROJECT SUMMARY:

Staff recommends that the State Coastal Conservancy authorize ABAG to disburse to Environmental Volunteers up to \$58,749 of the total Conservancy funds authorized on September 20, 2007 (“SF Bay Trail Block Grant #4,” which provides up to \$3,000,000 to ABAG to develop and implement projects to extend the San Francisco Bay Trail) to construct a segment of the San Francisco Bay Trail adjacent to the Sea Scout Ecocenter in the Palo Alto Baylands, Santa Clara County (Exhibits 1-2).

Environmental Volunteers, a nonprofit organization whose mission is to promote understanding of and responsibility for the environment through hands-on science education, is planning to restore and slightly relocate the historic Sea Scout Ecocenter building (the building will be restored to function as a community environmental center and the organization’s headquarters). As part of the restoration, Environmental Volunteers will complete a gap in the San Francisco Bay Trail that currently exists at the Sea Scout Ecocenter building. The Bay Trail currently terminates on either side of the building. The proposed project consists of connecting the existing

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trail by constructing two parallel segments, a pedestrian trail in front of the building along the shoreline, and a bicycle trail between the back of the building and the road. Each path will be constructed of stabilized decomposed granite/oyster shell, and will be 370 feet long and six feet wide. Environmental Volunteers will also install benches and educational signage about the local Baylands habitat. Environmental Volunteers anticipates completing the project between September 2008 and Winter 2009.

Site Description: The Sea Scout base was built in the 1940s to resemble an actual ship, with porthole windows, navigation bridge, flag hoist and smokestacks. The building housed the local Sea Scouts, an offshoot of the Boy Scouts that taught youth ages 14 to 20 how to excel in water activities such as sailing, sea customs, riggings, compass reading and knot tying. As the largest Sea Scout base in the region, the Palo Alto building hosted many Sea Scout events, and was even offered as a base for emergency use as an airplane spotting post during World War II (*Palo Alto Daily News*, 07/22/07). Environmental Volunteers plans to restore the building to function as a community environmental center and the organization's headquarters.

The proposed Bay Trail project will be constructed adjacent to the Sea Scout building within the Palo Alto Baylands Nature Preserve, on the southerly side of Embarcadero Road approximately 1,100 feet north of the Embarcadero Road/Harbor Road intersection. To the west lies the Palo Alto Airport, to the northeast lies the Lucy Evans Baylands Nature Interpretive Center.

Palo Alto segments of the Bay Trail are heavily used by pedestrians and bicyclists, providing access to local destinations such as the Baylands Nature Interpretive Center and Byxbee Park. On weekends, the Baylands are a popular place for families, recreational bicyclists and picnickers.

Project History: The proposed project is a San Francisco Bay Trail project, and is thus consistent with and proposed for funding under the Conservancy's San Francisco Bay Trail Block Grant #4 authorization of September 20, 2007.

PROJECT FINANCING:

Coastal Conservancy	\$58,749
County of Santa Clara Historical Heritage grant (secured)	10,725
Private Donors (secured)	<u>48,024</u>
Total Project Cost	\$117,498

The Conservancy's contribution will consist of a portion of a \$3,000,000 Conservancy grant ("SF Bay Trail Block Grant #4) that was authorized on September 20, 2007. SF Bay Trail Block Grant #4 is currently funded from the "Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006" (Proposition 84). These funds are available for all the purposes of the San Francisco Bay Area Conservancy Program and are thus appropriate for the funding of improvements to the San Francisco Bay Trail.

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

The proposed project is consistent with Chapter 4.5 of Division 21 of the Public Resources Code, Sections 31160 *et seq.* regarding San Francisco Bay Area projects.

The proposed project is consistent with Section 31162(a), because it will improve public access to and around the bay by helping to complete a regional trail system (the San Francisco Bay Trail). The proposed project will not have a significant adverse effect on agricultural operations, environmentally-sensitive areas or wildlife. In addition, as described more fully in the CEQA section of this report, the project is consistent with locally- and regionally-adopted Master Plans and General Plans. Consistent with Section 31163(c), the proposed project is supported by an adopted regional plan (see the "Consistency with the San Francisco Bay Plan" section), serves a regional constituency, can be implemented in a timely way, and includes matching contributions from other sources of funding or assistance (see the "Project Financing" section).

**CONSISTENCY WITH CONSERVANCY'S 2007
STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):**

Consistent with **Goal 11, Objective E**, the proposed project consists of constructing two parallel approximately 370-foot segments (approximately 0.07-mile) of the San Francisco Bay Trail.

Consistent with **Goal 11, Objective L**, the proposed project will be ADA-compliant.

**CONSISTENCY WITH CONSERVANCY'S
PROJECT SELECTION CRITERIA & GUIDELINES:**

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines, last updated on September 20, 2007, in the following respects:

Required Criteria

1. **Promotion of the Conservancy's statutory programs and purposes:** See the "Consistency with Conservancy's Enabling Legislation" section above.
2. **Consistency with purposes of the funding source:** See the "Project Financing" section above.
3. **Support of the public:** See letters of support in Exhibit 3.
4. **Location:** The proposed project is located on the Bay Trail alignment, along the Bay shoreline.
5. **Need:** The proposed project will not be constructed absent Conservancy participation.
6. **Greater-than-local interest:** The Bay Trail is a regional trail network that will be approximately 500 miles in length when completed. This authorization will help further the completion of the trail, of which some 230 miles have been completed to-date.

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CONSISTENCY WITH THE SAN FRANCISCO BAY PLAN:

The proposed project is consistent with the applicable policies contained in Part IV, Development of the Bay and Shoreline: Findings and Policies, of the San Francisco Bay Plan adopted by the San Francisco Bay Conservation and Development Commission (BCDC) in January 2006.

Public Access Policy No. 8 states:

Access to and along the waterfront should be provided by walkways, trails or other appropriate means and connect to the nearest public thoroughfare where convenient parking or public transportation may be available. Diverse and interesting public access experiences should be provided which would encourage users to remain in the designated access areas to avoid or minimize potential adverse effects on wildlife and their habitat.

Consistent with Public Access Policy No. 8, the proposed project will provide parallel pedestrian and bicycle trails along the waterfront (Palo Alto Baylands), and will provide a diverse and interesting public access experience (access adjacent to the historic Sea Scout building, which is being restored for use as an Ecocenter) that will encourage users to remain in designated public access areas (clearly-marked signage for both pedestrians and bicyclists).

Public Access Policy No. 10 states that federal, state, regional and local jurisdictions, special districts and the Bay Commission should cooperate to provide appropriately-sited, designed and managed public access, especially to link the entire series of shoreline parks, regional trail systems and existing public access areas to the extent feasible without additional Bay filling and without significant adverse effects on Bay natural resources. Closing gaps between existing public access areas is a high priority for funding. The proposed project is consistent with this policy because it will provide new Bay Trail segments that are appropriately sited and designed to accommodate adjacent Baylands habitat.

COMPLIANCE WITH CEQA:

In order to comply with the California Environmental Quality Act (CEQA), the City of Palo Alto (the City) prepared a Mitigated Negative Declaration (MND) for the EcoCenter/Sea Scout Base Project to evaluate the potential environmental impacts of the proposed project. The City also prepared a Mitigation Monitoring and Reporting Program (MMRP) in compliance with Section 15097 of the *CEQA Guidelines*. The MMRP summarizes the mitigation measures recommended in the MND and identifies the method of compliance and the parties responsible for implementation and enforcement. Pursuant to CEQA, the City adopted the MND (Exhibit 4) on August 20, 2008 and the MMRP on August 21, 2008.

The project considered in the MND includes relocation, rehabilitation and reuse of the Sea Scout EcoCenter building; construction of a three-car parking area; removal of existing sand bags and berm between the building and the road; trail construction; and installation of site and landscape improvements. A component of this project, constructing two bay trail segments (one for pedestrians in front of the relocated building; one for bicycles between the back of the relocated building and the road), is the sole subject of this authorization. Because the MND does not call out nor separately analyze the Bay Trail component of the overall project, the discussion below is pertinent to the overall project unless otherwise specified.

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Aesthetics: The MND states that the proposed project will not interfere with the project area’s natural setting, and will not use outdoor night lighting. The MND therefore finds that the proposed project will have only “less than significant” or “no” impacts on aesthetics.

Agriculture: The proposed project site is not located in an area designated as “Prime Farmland,” “Unique Farmland,” or “Farmland of Statewide Importance,” nor is it zoned for agricultural use or subject to the Williamson Act. The MND therefore finds that the proposed project will have “no” impacts on agriculture.

Air Quality: The MND states that based on Bay Area Air Quality Management District thresholds, it is not anticipated that the proposed project will be inconsistent with any regional air quality plan or standards, or result in a cumulatively considerable net increase of any criteria pollutant. The MND therefore finds that the proposed project will have only “less than significant” or “no” impacts on air quality.

Biological Resources. The MND states that the Palo Alto Baylands contains the following sensitive biological resources, some subject to Federal and/or State protections: wetlands, Salt Marsh Harvest Mouse and California Clapper Rail (both Federally- and State-listed Endangered); California black rail; saltmarsh wandering shrew; bird nesting areas (including a heronry); five special-status bird species (short-eared owl, northern harrier, white-tailed kite, burrowing owl, saltmarsh common yellowthroat). No sensitive plant species occur on the site. The following table shows the potential impacts of the proposed project on “biological resources,” and either the applicable mitigation measures that will be required to bring them to a level of insignificance or reasons why they will not reach a level of significance. The MMRP specifies the parties who will be “responsible for compliance” (Environmental Volunteers, its construction crews, biologists and landscape architect), and the parties who will have “oversight of implementation” (The City’s Director of Planning and Community Environment).

<i>Potential Impact</i>	<i>Mitigation Measure (indicated in bold type) that will bring the potential impact to a level of insignificance <u>or</u> reason why impact will not reach a level of significance</i>
<u>Potential Impacts to Birds</u> : -Temporary loss of raptor foraging habitat and loss of perch sites -Indirect construction impacts (noise, ground vibrations, and/or dust generated from use of heavy equipment) to species that occur but do not forage or nest in the saltmarsh habitat adjacent to the project site (California black rail, California clapper rail, saltmarsh wandering shrew, birds in the heron rookery) -Construction impacts to breeding or nesting birds	-There will be no permanent loss of habitat or perch sites because removed trees (three) will be replanted, and large open space areas around the project site provide suitable foraging habitat. -Biological Resources-1 requires that activities be conducted outside of the breeding season (which occurs Feb 1 – Aug 31), or that appropriate surveys be conducted before starting work. If work will be conducted during clapper rail breeding season, Biological Resources-2 requires adherence to the U.S. Fish and Wildlife Service Draft Survey Protocol for California clapper rails. Biological Resources-3 requires that burrowing owl nest surveys follow California Department of Fish and Game (CDFG) survey protocol;

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	<p>in addition, if construction will remove burrows, owls shall first be excluded from the burrows in coordination with the CDFG.</p> <p>-If active nests of common birds or clapper rail breeding behavior is detected, Biological Resources-4 requires that CDFG be contacted regarding how to proceed; typically, either a buffer will be established around nests or a halt to construction will be called.</p> <p>-Biological Resources-8 requires that a qualified biologist serve as on-site monitor for clapper rails and salt marsh harvest mice during all outdoor work activities. Biological Resources-11 requires that a qualified biologist conduct a tail-gate training session for all construction personnel regarding protected species and habitats in the construction area.</p> <p>-Biological Resources-12 requires that construction equipment and materials be staged in an already-paved area near the project site.</p>
-Construction impacts (from removal of pickleweed) to Salt Marsh Harvest Mouse habitat	<p>-Biological Resources-5 requires installation of an exclusion fence around the project site, and prohibits construction activity and personnel in areas outside of the fence (except for existing roads, parking, asphalt/concrete areas). Biological Resources-7 addresses handling vegetation within the fence, and relocating the fence to protect revegetated areas.</p> <p>-Biological Resources-6 requires planting and maintenance of <i>grindelia</i> (gumweed) outside of the exclusion fence on top of the remaining seawall, to provide additional upland refuge.</p> <p>-Biological Resources-8 requires that a qualified biologist serve as on-site monitor for clapper rails and salt marsh harvest mice during all outdoor work activities. Biological Resources-11 requires that a qualified biologist conduct a tail-gate training session for all construction personnel regarding protected species and habitats in the construction area.</p> <p>-Biological Resources-9 requires measuring the area of pickleweed removed, in order to restore the area at a 1.5:1.0 ratio.</p> <p>-Biological Resources-10 restricts project construction during tide conditions that may force the salt marsh harvest mouse into the project site.</p>

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	<p>-Biological Resources-12 requires that construction equipment and materials be staged in an already-paved area near the project site.</p> <p>-Biological Resources-14 requires that a landscaping/restoration plan be prepared and implemented, Biological Resources-15 requires that additional <i>grindelia</i> be planted along the edge of the bay, Biological Resources-16 requires that pickleweed marsh restoration be monitored for five years, and Biological Resources-17 requires that visitors be encouraged via signage to remain on trails and out of pickleweed habitat.</p>
-Construction impacts to heron rookery	-No direct impacts because the project site is located several hundred feet away, and pile-driving noise will have only a three-day duration.
-Placement of fill in wetlands	<p>-The proposed project will likely increase wetland habitat functions and values because the project will result in a net decrease in fill. The current/existing “fill,” the EcoCenter building itself, will be raised onto pilings installed a few feet away, and pilings to support the ancillary structures will be placed within the building’s old footprint; in addition, part of an existing sandbag “seawall” will be removed, thereby removing additional fill.</p> <p>-Biological Resources-12 requires that construction equipment and materials be staged in an already-paved area near the project site.</p>

Cultural Resources: The MND finds that although the existing SeaScout EcoCenter building (which is part of the overall project) is eligible for listing in the National Register of Historic Places and on the City’s Historic Inventory List, the Bay Trail component of the proposed project (which excludes the building, and is the sole subject of this authorization) will have “no” impacts on cultural resources.

Geology, Soils and Seismicity: The MND finds that although the proposed project site supports soft and highly-compressible Bay Mud that increases the potential of settlement, the project construction method and standard building permit review will reduce potential impacts to a level of insignificance. The MND therefore finds that the proposed project will only have “less than significant” or “no” impacts relating to geology, soils and seismicity.

Hazards and Hazardous Materials: The MND finds that the proposed project will not generate hazardous materials, and remains within the “Inner Safety Zone” for the Palo Alto Airport (within which the proposed project’s use is allowable). The MND therefore finds that the proposed project will only have “less than significant” or “no” impacts relating to hazards and hazardous materials.

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Hydrology and Water Quality: The MND finds that although the project site will be subject to potential flooding, the proposed project will be constructed to meet all required building codes that address safety/flood issues. The MND also imposes Mitigation Measure **Biological Resources-13**, which requires incorporation of best management practices required or recommended by the State Water Resources Control Board, the Regional Water Quality Control Board and the City to protect water quality. As specified in the MMRP, Environmental Volunteers and its construction crew will have “responsibility for compliance” and the City’s Director of Planning and Community Environment will be “oversight of implementation.” The MND therefore finds that with the application of Biological Resources-13, the proposed project will only have “less than significant” or “no” impacts relating to hydrology and water quality.

Land Use and Planning: The MND shows that the Bay Trail component of the proposed project will be consistent with the Baylands Master Plan (adopted in 1979), the California Airport Land Use Planning Handbook (2002) and the City’s zoning and Comprehensive Plan. The Bay Trail component of the proposed project will therefore only have “less than significant” or “no” impacts relating to land use and planning.

Mineral Resources: The City bears a State designation signifying that there are no aggregate resources in the area, and there is no other indication that the City supports any valuable mineral resources. The MND therefore finds that the proposed project will have “no” impact on mineral resources.

Noise: The MND finds that there are no residential uses in the proposed project area and only limited commercial uses nearby, and that the proposed project is located a distance from the Palo Alto Airport sufficient to allow an educational facility (based on decibel noise exposure contours). Furthermore, the project construction activities will be subject to the City’s Noise Ordinance, which restricts construction timing and overall noise levels. The MND therefore finds that there are no anticipated construction-related or project-related impacts to sensitive receptors, and that the proposed project will only have “less than significant” or “no” noise impacts.

Population and Housing: The MND finds that the proposed project will not create the need for additional housing, and therefore that the proposed project will have “no” impact on population and housing.

Public Services: The MND finds that the proposed project will not increase the number of users such that additional service requirements would be generated. The MND therefore finds that the proposed project will have “no” impact on public services.

Recreation: The MND finds that the proposed project will not increase the number of users to a threshold at which the existing nature preserve or its facilities would experience deterioration from increased use. The MND therefore finds that the proposed project will have “no” impact on recreation.

Transportation and Traffic: The MND finds that the proposed project will not result in a significant number of new trips to the Baylands, and thus will not degrade existing traffic and road conditions. Parking for staff of and visitors to the EcoCenter building will be adequately accommodated by the existing 19-space lot and the three additional spaces that will be constructed as part of the project. The new Bay Trail segments are too short (0.07-mile) to be destination walks/rides in and of themselves, and thus will not necessitate additional parking.

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The MND therefore finds that the proposed project will only have “less than significant” or “no” impacts on transportation and traffic.

Utilities and Service Systems: The Bay Trail component of the proposed project will not place additional demand on any existing utilities or service systems. The proposed project will therefore have “no” impacts on utilities and service systems.

Based on the foregoing, Conservancy staff concludes that the project as proposed and mitigated, and as additionally tracked as required in the MMRP, poses no potential for significant environmental impacts. Accordingly, staff recommends that the Conservancy find that the Conservancy has independently reviewed and concurs with the MND adopted by the City of Palo Alto on August 20, 2008, and concludes that there is no substantial evidence that the Conservancy project, as mitigated, may have a significant effect on the environment. Staff will file a Notice of Determination upon the Conservancy’s approval of the project.